

Notice of Allowability**Application No.**

09/663,891

Applicant(s)

CHOJNACKI, ROBERT

Examiner

NADIA KHOSHNOODI

Art Unit

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to remarks filed 3/11/2009 and interview conducted 5/19/2009.
2. ☒ The allowed claim(s) is/are 1-4,6,8,9,11-23 and 25-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/11/2009 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Shutter on 5/19/2009.

Please amend the application as follows:

Claims 1 and 8 should be amended to the claim language as shown below.
These amended claims will **replace** claims 1 and 8 as filed on 3/11/2009:

In claim 1, the amendment filed on 3/11/2009 **has been changed to** --A method for on-line mass distribution of data products to end users, the method comprising:
maintaining an encrypted first portion of each of said data products at a first location;

maintaining an unencrypted second portion of each of said data products at a second location, wherein said second location is different from said first location;

for each of said end users, confirming the end user's entitlement to one of said data products;

obtaining an unencrypted second portion of said one of said data products on a ~~computing platform~~ navigation system from said second location;

after said step of confirming, obtaining an encrypted first portion of said one of said data products on the ~~computing platform~~ navigation system from said first location, obtaining a decryption key and using said decryption key to decrypt said encrypted first portion;

combining said decrypted first portion of said one of said data products and said unencrypted second portion of said one of said data products to form a combined product, wherein said step of combining is performed remote from said first location;

storing said combined product on a portable computer-readable storage medium, wherein said combined product is not cryptographically secured on the computer-readable storage medium and said combined product does not include any protection information to limit use of said combined product by the ~~computing platform~~ navigation system; and

providing said computer-readable storage medium having said combined first portion and second portion to said user, wherein the first portion of said data product comprises critical data that enables a program executed on the ~~computing platform~~ navigation system to use said data product including both the first portion and the second portion together for an intended purpose, wherein said end user accesses said combined product from said storage medium with said

~~computing platform~~ navigation system at a third location different from said first location and said second location.--

In claim 8, the amendment filed on 3/11/2009 **has been changed to** -- A system for secure on-line mass distribution of data products to end users comprising:

an authorization server at a first location having associated therewith copies of first portions of a plurality of data products, wherein said first portions of the data products do not include information to enable encrypted data to be decrypted;

a plurality of data distribution terminals at a plurality of locations different from said first location, each of said data distribution terminals has stored thereon copies of second portions of said plurality of data products;

a communications system that provides for exchange of data between said authorization server and said plurality of data distribution terminals,

a data distribution program that provides copies of said data products to those end users who are entitled to have said copies thereof, wherein said data distribution program provides a combined copy of a data product by combining a copy of the first portion of said data product obtained from said authorization server with a copy of the second portion of said data product obtained from one of said plurality of data distribution terminals, wherein said step of combining is performed at a location of said one of said plurality of data distribution terminals and said end user is located at said location of said one of said plurality of data distribution terminals; and

a storage device interface associated with said data distribution terminal, wherein said storage device interface stores said combined product on a portable computer-readable storage medium, wherein said combined product is not cryptographically secured on the computer-

readable storage medium and said combined product does not include any protection information to limit use of said combined product, wherein said user accesses said combined product from said storage medium with a ~~computing platform~~ navigation system at a location different from said location of said data distribution terminal.--

Allowable Subject Matter

Claims 1-4, 6, 8-9, 11-23, 25-39 are allowed.

The following is an examiner's statement of reasons for allowance: The above mentioned claims are allowable over the prior arts because the CPA (Cited Prior Arts) of record taken singly or in combination fail to anticipate or render obvious the specific added limitations, as recited in independent claims 1 & 8 and subsequent dependent claims.

The CPA does not teach or suggest a method/system of having two portions of a data product stored in two separate locations, where the first portion is stored in an encrypted format and the second is stored in an unencrypted format, and where each of these portions are received and combined at a third location which is a navigation system. Furthermore, the CPA fails to teach or suggest that the combined product is stored on a portable computer readable medium in a format which is not cryptographically secured and has no protection information to limit the use of the combined product by the navigation system. The CPA further fails to teach or suggest, in combination with the rest of the claimed features, that the critical data portion is used to execute a program on the navigation system to use the first and second portions of data if the end user has been properly authorized as being entitled to using that data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadia Khoshnoodi whose telephone number is (571) 272-3825. The examiner can normally be reached on M-F: 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

/Nadia Khoshnoodi/
Examiner, Art Unit 2437
5/19/2009

NK

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437